

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Winter/mt

Mailed: November 30, 2007

Opposition No. 91173564

3M Company

v.

MAGCHEM INC.

Jyll S. Taylor, Administrative Trademark Judge:

On October 31, 2007, applicant filed a motion to extend the date for filing its answer to the notice of opposition and a motion to extend discovery and trial dates. In support thereof, applicant states that additional time is required to finalize settlement negotiations with opposer. On November 1, 2007, opposer filed its consent to applicant's motions.

In view of opposer's consent, applicant's motions to extend are granted. See Trademark Rules 2.121(d) and 2.127(a), 37 C.F.R. §§ 2.121(d) and 2.127(a); TBMP § 509.02 (2d ed. rev. 2004).

Answer is due November 30, 2007.

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The discovery and trial dates are reset in accordance with applicant's motion and are set forth below for the parties' convenience.

DISCOVERY PERIOD TO CLOSE:	April 7, 2008
Thirty-day testimony period for party in position of plaintiff to close:	July 6, 2008
Thirty-day testimony period for party in position of defendant to close:	September 4, 2008
Fifteen-day rebuttal testimony period to close:	October 19, 2008

IN EACH INSTANCE, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party **WITHIN THIRTY DAYS** after completion of the taking of testimony. See Trademark Rule 2.125, 37 C.F.R. §2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b), 37 C.F.R. §§2.125(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129, 37 C.F.R. §2.129.

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For

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further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:

<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>

http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>